

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
October 9, 2008

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control ("EQC").
- II. **SUBJECT:** Administrative and Consent Orders issued during the period August 1, 2008 through August 31, 2008.
- III. **FACTS:** For the period August 1, 2008 through August 31, 2008 EQC issued thirty-one (31) Consent Orders with total assessed civil penalties in the amount of \$106,205.00.

Unless otherwise specified, "Previous Orders" as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

<u>Bureau</u>	<u>Administrative Orders</u>	<u>Assessed Penalties</u>	<u>Consent Orders</u>	<u>Assessed Penalties</u>
Land & Waste Management				
UST Program	0	\$ 0	5	\$ 2,650.00
Solid Waste	0	0	2	5,100.00
Mining	0	0	0	.00
Hazardous Waste	0	0	0	.00
SUBTOTAL	0	0	7	\$ 7,750.00
Water				
Drinking Water	0	\$ 0	8	\$ 7,555.00
*Water Pollution	0	\$ 0	12	81,900.00
SUBTOTAL	0	\$ 0	20	\$ 89,455.00
Air Quality				
SUBTOTAL	0	\$ 0	4	\$ 9,000.00
TOTAL	0	\$ 0	31	\$ 106,205.00

*During the reporting period, Drinking Water Enforcement and Water Pollution Enforcement entered into one (1) Joint Consent Order. Water Pollution Enforcement and Air Quality Enforcement also entered into (1) Joint Consent Order. Water Pollution Enforcement was credited with both Orders.

ANALYSIS: During the reporting period, Solid Waste Enforcement entered into a Consent Order with Daniel E. Burkett (Respondent) for allowing the open dumping of wood chips in a low area on this property. After the wood chips were placed on his property, a fire started and the wood chips were covered with soil to smother the fire. The Respondent must complete the

coverage of all areas of the wood chips with two feet of clean soil to prevent the fire from recurring and then seed the area with native grass. A civil penalty in the amount of two thousand one hundred dollars (\$2,100.00) was assessed.

Of the eight (8) Consent Orders issued by Drinking Water Enforcement, five (5) were for violations of the Public Swimming Pool Regulations. Total civil penalties were assessed in the amount of five thousand eight hundred and fifty-five dollars (\$5,855.00).

Water Pollution Enforcement entered into a Consent Order with Respondents, York County and Eagle Construction Company, Inc., for violations occurring at a Highway 5 roadway widening, Phase 2 linear project located in York County. Eagle Construction Company, Inc. is responsible for the terms and conditions of the Stormwater Pollution Prevention Plan (SWPPP). The Respondents violated the Pollution Control Act and State Regulations by allowing the unauthorized discharge of sediment into the environment, including waters of the State; and, failing to properly install, operate and maintain stormwater, sediment, and erosion control devices. The Respondents must submit an engineer's report certifying all stormwater and sediment control devices are installed and functioning properly. A civil penalty in the amount of seventeen thousand six hundred dollars (\$17,600.00) was assessed.

Water Pollution Enforcement and Air Quality Enforcement entered into a Joint Consent Order with Seabrook Classics, Inc. (Respondent), owner of two (2) furniture-finishing facilities in Beaufort County, South Carolina. Violations include discharging process wastewater into the environment, including waters of the State, in a manner other than in compliance with a Permit; and constructing and placing into operation a source of air contaminants without the appropriate permits. The Respondent must submit all appropriate permit applications for the air contaminants as well as applications to address the unauthorized discharge of the process wastewater; submit an environmental assessment plan for the soils and groundwater having potential impacts from the wastewater discharge; and, submit a final assessment report. A civil penalty in the amount of fifteen thousand six hundred dollars (\$15,600.00) was assessed.

Of the thirty-one (31) Consent Orders issued by EQC enforcement programs during the reporting period, all have either complied with the Order requirements or are currently in compliance with schedules required in those Orders.

Submitted by:

Robert W. King, Jr., P.E.
Deputy Commissioner
Environmental Quality Control